

METROPOLITAN CRIMINAL JUSTICE COORDINATING COUNCIL BERNALILLO COUNTY DETENTION CENTER REPORT

October 2000

POPULATION: The Bernalillo County Detention Center (BCDC) successfully met the court ordered reduction for the month of October 2000. BCDC was at 585 by October 30, 2000. The Westside average was below the maximum of 680 inmates that can be held in that facility. The Satellite Facility average was 107 inmates which was in compliance to the Federal Cap for the facility.

As you know, BCDC modified its housing assignments by placing female inmates in the Satellite Facility. The Westside Facility houses only male inmates. We also moved inmates in protective custody to the Westside Facility. This will also help fill vacant beds at the facility.

BCDC is still looking for available options to help reduce the total number of inmates being held in the BCDC Main Facility.

Judge Sitterly has been assigned by the District Court as the Judge Protem for BCDC. In addition to assisting BCDC in staying within the court ordered cap, she has been working on developing and implementing efficiencies in the judicial processing of inmates. Her responsibility is to reduce the population at BCDC to meet the court ordered population cap. Many of the inmates selected by her are placed in the Community Custody Program.

Most of the inmates in the Work Release program were converted to the Community Custody Program.

COMPLIANCE TO McCLENDON VS. COA SETTLEMENT: BCDC continues to maintain compliance with the Settlement Agreement in all other areas. We also meet with all inmates in all housing units to address any issues that they may have.

We are also addressing all inmate grievances received in all BCDC facilities. We are an accredited facility.

JUDICIAL ISSUES:

COURTS: All procedures currently in place that deal with the various courts are working well. The transportation of inmates for TOTs continue to be a problem. Our Records Unit continues to receive the list of those inmates needed for felony arraignments at approximately 0900 or later. This causes a delay in transporting those inmates located at the Westside Facility in a timely manner, especially when felony arraignments are held at 1100. We have established a transport schedule so that the Courts can be informed of the times that inmates are being transported from the Westside Facility. BCDC is in the process of establishing a policy/procedure that will outline the time schedule, the procedures for notification of up-coming court appearances and the policy for setting TOT court dates and times. Calendars from District and Metro Courts are received on a daily basis and cross-referenced for in-custody inmates. Court lists are generated and inmates are escorted to their respective appearances. Inmates that are in the custody of the Department of Corrections are transferred to BCDC via transport orders and are escorted to their courts. We continue to receive an updated calendar each day at approximately 1600 hours.

RELEASES: The dayshift bonding clerk from Metro Court has been reestablished and is working very well. With this clerk back in place we are once again able to process bond releases in a more timely fashion.

PROPERTY ACCOUNTABILITY: There have been two new property claims submitted by Lt. Grant St. Clair since the last report. Both claims are being researched as of the writing of this report. No other information is available.

PRE-SENTENCE CONFINEMENT: The procedure of calculating pre-sentence confinement time for those inmates appearing on the daily court list continues to be provided to the court. Additional requests from the Probation/Parole Department and private attorneys continue to be provided in compliance with existing policy. DA's office has developed a new Judgement and Sentence to be used at the time of sentencing. It is currently in draft form but should go into effect very shortly. Once implemented, the time delay in receiving these documents will greatly be reduced thereby allowing us to transport these inmates to DOC much quicker.

DA's MEETING: At the last meeting Lt. Lucero brought up the fact that we are not receiving the J/S's in a timely manner. There were presented with a copy of the list of inmates still needing these documents. We were told that they would research it and provide us with the J/S's. We informed them that we had not received the re-indictments or the nolle on the old cases. They said that they would work on this as well.

MAJOR INCIDENTS:

Below is a summary of major incidents from 10/01/00 through 10/31/00:

Escape	1
Attempted Escape	1
Inmate vs. Staff Assault	6

SOUTH UNIT

Date: 10/21/00

Description: Inmates Lorenzo Valdez and Michael Jaramillo assaulted CO's Eloy Nunez and Richard Espinosa. Inmate then took keys from Officer Nunez and attempted to unlock the cell doors. COs Rodney Hodges and Jason Garcia were also injured.

Location: 3SE

Disposition: Assistance was called. Assistance call escalated to Code-100. Lt. Alberti and 8 officers responded to the detention level in riot gear. Disturbance was quelled within less than 5 minutes. All inmates were restrained, searched and either secured in their rooms or taken to RD. CO's Nunez, Espinosa, Hodges and Garcia were sent to Presbyterian Hospital and released that evening. The inmates involved were written-up and charged criminally for the assault on the officers.

NORTH UNIT

Date: 10/23/00

Description: Inmate Demetrio Baca assaulted CO Chris Bingham while Baca was being medicated.

Location: 6E

Disposition: Inmate Baca was restrained. CO Bingham suffered only minor injuries and was seen by medical. Inmate Baca was not charged criminally due to his PSU status.

RD UNIT

There were no major incidents in the RD Unit for the month of October.

WESTSIDE FACILITY

Date: 10/2/00

Description: Inmate Edward Dominguez assaulted CO Jeremy Maestas during a shakedown.

Location: L pod

Disposition: APD was called and a report was filed. CO Maestas was not injured.

Date: 10/8/00

Description: Six inmates escaped from WSF on graveyard shift by making a hole in the dry wall near the shower and going through the plumbing chase. Parts from a weight machine that was stored in the plumbing chase were used to break through the tin outside the facility. A blanket was put over the razor wire so that the inmates could climb over it.

Location: D-pod

Disposition: Inmate Edward Tenorio was recaptured by BCSO. BCSO informed BCDC that Tenorio was in their custody. The Westside facility was placed in lockdown and an emergency headcount was conducted. The names of the other escapees were found out. BCSO notified APD of the escape. Inmate Tenorio was charged with Escape.

Inmate Garcia was recaptured on 10/25/00. Inmate Manning was recaptured on 10/26/00. Both Garcia and Manning were charged with escape. Inmates Chavez, Solano and Joseph have not been re-captured.

Date: 10/15/00

Description: Inmate Jose Garcia assaulted CO Manuel Sedillo.

Location: D-pod

Disposition: APD was notified. Inmate was charged criminally with the assault and re-classified. CO Sedillo suffered a cut inside his lower lip and redness to his facial area. CO Sedillo's glasses were broken in the incident. CO Sedillo was checked by MSU and advised to report to Employee Health.

Date: 10/28/00

Description: Inmate Rene Rubio attempted to escape out of the fire door.

Location: F-pod

Disposition: Inmate was written-up and charged with attempted escape by APD. Inmate was sent back to the main facility and placed in Special Handling.

SATELLITE FACILITY

There were no major incidents at the Satellite Facility for the month.

PROGRAMS UNIT

There were no major incidents in the Programs Unit for the month.

DETOXIFICATION/INCARCERATION PROGRAM:

- ✓ City position for the Sobering House are being reviewed we are expecting to advertise these positions soon.
- ✓ The Sobering House is expected to open January 2001.
- ✓ Price and Company evaluated the DWIDTP program and the results are attached, we did well in comparison to other programs.

STATISTICS ON BOOKING ON CITATIONS:

There were 200 individuals booked on 384 citations from September 1, 2000 through September 30, 2000. That is an average of 7

individuals per day and 2 citation per individual booked. Below are statistics comparing bookings with citations to bookings minus citations:

	<u>Including Bookings on Citations</u>	<u>Without Bookings on Citations</u>
Total Bookings	2987	2785
ADP	1515	1415
Total Bed Days	47027	43856

The ADP was increased by 7.3% due to the bookings on citations. The number of bookings was increased by 7.1% due to the bookings on citations.

Many individuals are booked on combinations of citations. Some examples of those combinations are listed below.

- Revoked License, No Proof of Insurance and No Registration;
- Criminal Trespass and Public Nuisance;
- Disorderly Conduct and Refusing to Obey;
- Possession of Drug Paraphernalia and Possession of Marijuana less than 1 ounce.

The total number of citations will be greater than the total of individuals booked.

The following is a breakdown of those citations:

No Proof of Insurance	34	Failure to Obey Traffic Signs/Signals	2
Shoplifting/Petty Larceny	51	Falsely Obtaining Services	1
License Plate Violation	15	Obstructing Streets	2
No Drivers License	19	Yield Right of Way	2
Suspended/Revoked License	81	Public Affray	2
Speeding	4	Windshield/Wipers/Windows	1
Criminal Trespass	43	Littering	3
No Registration/Improper Registration	13	No Seat Belt	7
Public Nuisance	4	Improper Turn	1
Possession Drug Paraphernalia	9	FT Keep Proper Lookout	3
Possession of Open Container	3	Unsafe Lane Change	2
Possession Marijuana less than 1 Oz.	7	Drinking within 100 ft of liquor establishment	2
Defective Window/Equipment	2	Sunscreen Material on Windows	1
Disorderly Conduct	20	Possession Alcohol by Minor	1
Head lights/Tail lights/Stop lights	9	Drinking in Public	1
Indecent Exposure	1	Failure to Yield	1
FT Dim Headlights	1	No Child Restraint	1
Stop Sign Violation	2		
Total Number of Citations		348	
Total Number of Individuals Booked		20	
Average Number of Citations per Individual Booked		2	

Bookings on Citations by Arresting Agency:

APD: 170 BCSO: 19 NMSP: 1 Other: 12

Below is a list of the charges that are not included in the count of booking of citations.

DWI	Negligent Use of Firearm
Domestic Violence	Concealing Identification
Reckless Driving	Battery
Leaving the Scene of an Accident	No Child Restraint
Prostitution	Soliciting
Eluding/Evading Police	

In addition, Transients booked on citable charges are not counted. If you have any questions about the data in this memo or how it was calculated, please let me know.

COMMUNITY CUSTODY INMATE PARTICIPATION DATA

July 1, 2000 through October 31, 2000 (FISCAL YEAR-YTD)

Total Inmates	410
Total Violations	30
Success Rate	93%
Total inmates on Electronic Monitoring	283
Total Felony Inmates	123
Total Misdemeanor Inmates	286

CURRENT COMMUNITY CUSTODY STATS/November 7, 2000

Total Inmates	215
Total Felony Inmates	111
Total Misdemeanor Inmates	104
Total on Electronic Monitoring	203

Respectfully submitted by,



John P. Dantis, M.S.W., Director
Bernalillo County Detention Center